



City of Seattle  
Edward B. Murray, Mayor

Department of Construction and Inspections  
Nathan Torgelson, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

**Application Number:** 3014982  
**Applicant Name:** Jodi Patterson-O'Hare  
**Address of Proposal:** 333 8<sup>th</sup> Ave N

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a six story, 194,000 sq. ft. office building with 1,382 sq. ft. of retail at ground level. Parking for 462 vehicles will be located below grade. Existing structures to be demolished.

The following approvals are required:

**Design Review** with Departures (Seattle Municipal Code 23.41)\*

**SEPA - Environmental Determination** (Seattle Municipal Code Chapter 25.05)

*\* Departures are listed near the end of the Design Review Analysis in this document*

**SEPA DETERMINATION:**

Mitigated Determination of Non-significance

- ☐ No mitigating conditions of approval are imposed.  
☒ Pursuant to SEPA substantive authority provided in SMC 25.05.660, the proposal has been conditioned to mitigate environmental impacts

**SITE AND VICINITY**

Site Zone: Seattle Mixed- 85\*

Nearby Zones: North: SM 85-240  
South: SM 85-240  
West: SM 160/85-240  
East: SM 160/85-240



ECAs: No mapped environmental critical areas.

Site Size: 43,200 sq. ft.

\*The site was rezoned from SM-85 to SM 85-240 in 2013. The application is vesting to the SM-85 zoning, which was in effect at the time of the EDG application.

### Public Comment

The public comment period ended on July 9, 2014. Comments were received through the Design Review process. No other comments were received in response to this public comment period.

## **I. ANALYSIS – DESIGN REVIEW**

### Current Development

A one-story warehouse structure is located at 300 8<sup>th</sup> Ave N and two 1-3 story structures and surface parking on 333 8<sup>th</sup> Ave N. The 8<sup>th</sup> Ave N and Republican Street frontages include several mature Sweet Gum street trees in the public right of way that are proposed for retention. Existing vehicular access is via the alley on 300 8th Ave N.

### Surrounding Development and Neighborhood Character:

Newer 6 story office and institutional buildings are located to the north and east. New and proposed residential development is located to the north and south. Early 20th century residential and industrial structures are located in nearby blocks.

This site is located near the southwest edge of the larger South Lake Union neighborhood, and is referred to as the Denny Park area. The Denny Park area of South Lake Union provides a diverse mix of buildings and uses.

Denny Park anchors the quiet non-arterial 8th Ave N a block south of this site, with a playground area and off leash dog area. Dexter Ave N. is a busy arterial located one block to the west with a high level of cyclist, vehicle and transit traffic connecting downtown with areas north of the Ship Canal. A few blocks further to the north, the busy arterials of Mercer and Broad Streets provide a clear break with the rest of the South Lake Union neighborhood.

The Denny Park area consists of mostly older 1-2 story commercial uses with some newer mixed-use and multi-family structures. The terminus of 8th Ave N is the heavily wooded Denny Park, Seattle's oldest public park and the site of the Seattle Parks Department offices.

Harrison St is a heart location in the South Lake Union Guidelines and also a Class 2 Pedestrian street. Thomas St is a Class 2 Pedestrian street and a View Corridor requiring upper level setbacks.

The recently developed South Lake Union Urban Design Framework for this area designates 8th Ave N as a quiet residential street, with street level residential uses, wider sidewalks, and landscaping requirements. Thomas Street is shown as a Green Street, and Harrison Street is shown as a mixed-use corridor.

***FIRST EARLY DESIGN GUIDANCE October 9, 2013***

***(Early Design Guidance described below is for both 3014981 and a related MUP 3014982 that were reviewed together by the Design Review Board. The guidance that specifically applies to 3014982 is described as statements related to the east building at 333 8<sup>th</sup> Ave N.)***

*The packet includes materials presented at the meeting, and is available online by entering the project number (3014982) at this website:*

*[http://www.seattle.gov/dpd/Planning/Design\\_Review\\_Program/Project\\_Reviews/Reports/default.asp](http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp).*

*The packet is also available to view in the file, by contacting the Public Resource Center at SDCI:*

***Mailing   Public Resource Center***  
***Address:*** 700 Fifth Ave., Suite 2000  
P.O. Box 34019  
Seattle, WA 98124-4019

***Email:*** [PRC@seattle.gov](mailto:PRC@seattle.gov)

**PUBLIC COMMENT**

The following comments, issues and concerns were raised:

- Ground level offices bring activity to the street level during the day. A mix of residential and office provides more activity during all times of the day and evening.

***FINAL RECOMMENDATION MEETING: May 21, 2014***

***(Final Recommendations described below are for both 3014981 and a related MUP 3014982 that were reviewed together by the Design Review Board. The recommendations that specifically apply to 3014982 are described as those for the east building at 333 8<sup>th</sup> Ave N.)***

*The packet includes materials presented at the meeting, and is available online by entering the project number at this website:*

*[http://www.seattle.gov/dpd/Planning/Design\\_Review\\_Program/Project\\_Reviews/Reports/default.asp](http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp).*

*The packet is also available to view in the 3014981 and 3014982 file, by contacting the Public Resource Center at SDCI:*

***Mailing   Public Resource Center***  
***Address:*** 700 Fifth Ave., Suite 2000  
P.O. Box 34019  
Seattle, WA 98124-4019

***Email:*** [PRC@seattle.gov](mailto:PRC@seattle.gov)

Susan McLaughlin from Seattle Department of Transportation offered comments on behalf of SDOT, in response to the 8th Ave N Street Concept Plan. The applicant has worked with SDOT on the design intent, and SDOT supports the proposed woonerf option for 8<sup>th</sup> Ave N, as described in the Recommendation packet. SDOT is continuing to work with the applicant on permitting approval, but supports the meandering curb line, the trees, and the pedestrian amenities proposed along 8<sup>th</sup> Ave N.

The applicant explained that the intent of the 8<sup>th</sup> Ave N design is to respond to the 8<sup>th</sup> Ave N Street Concept Plan, create a pedestrian focus along the street, provide gathering areas near the center of the block, and maximize the long term health of the existing mature street trees.

The Woonerf design is intended to emphasize the sense of place at the street level, respond to the building angles, and respond to the sun opportunities near the south edge of the site. The raised roadway would angle around a seating area near the south edge of the site. The sidewalk and drive aisles would be paved in the same color near the center of the block. This seating area would be highly visible in the 8th Ave N right of way in the blocks to the north and south of the site. Wood decking area near the north end of the block is intended to provide a quieter seating area with small commercial entries that feel like stoops, and increased landscaping. It is anticipated that the curved roadway will provide traffic calming and enhance the pedestrian realm.

The Recommendation packet and presentation described two options for the 8<sup>th</sup> Ave N streetscape (“Woonerf” option and “Green Street” option). This option offers similar seating opportunities but with a straight roadway at a standard level of design as found in other areas of 8<sup>th</sup> Ave N. The applicant explained that the Green Street 8<sup>th</sup> Ave N design is shown as an alternate design for Board approval, in case SDOT does not approve the Woonerf design.

The applicant noted that the mature Sweet Gum trees have been pruned up on 8<sup>th</sup> Ave N, allowing additional light and air at the street level. Smaller trees are proposed below the Sweet Gums, providing layered landscaping at the street level. Landscaping is proposed adjacent to the office use at street level. Thomas St includes seating and the building is set back, in response to the context as a recently adopted Green Street. Both buildings include landscaping at the upper level terraces at Thomas St and Harrison St. The overall intent of the landscape plan is to provide a lushly landscaped edge at the Streets, in order to enhance the identity of the 8<sup>th</sup> Ave N streetscape and the mature trees.

The building design concept included design cues from residential buildings and the Urban Design Framework of 8<sup>th</sup> Ave N as a residential enclave. The street level and the north and south edges have been designed to respond to the scale and modulation of the residential context and intent for 8<sup>th</sup> Ave N. The pattern of fenestration and solid materials is used to further articulate the building and reduce the appearance of scale.

The north and south edges of the buildings include upper level setbacks, with one story edges to relate to the nearby residential scale and the historic landmark to the south. The one story elements also emphasize the separate retail spaces at the corners. The southeast corner of the west site is designed as a one-store element with a lushly planted green roof to further emphasize the individual retail use and to relate to the Thomas St Green Street context. Terraces with green roofs are located above the first story at the south end of each block, with usable deck area for office tenants. The edges of these terraces include taller parapet walls with low railings. The 1-story elements at the north edge are topped with green roofs only.

The small commercial spaces near the north end of each site are designed with individual entries, brick framing, and canopies to enhance the appearance of individual spaces. These spaces would occupy the north half of both buildings at the street level. The small commercial spaces are designed with flexibility as commercial, retail, or live-work and include over-built floors and tall ceiling heights to maximize flexibility between these uses.

The rooftop design includes contrasting colors of roofing material to reference the angled paving patterns at the street level. The rooftop is also designed to accommodate photovoltaic panels within the screen wall in the future.

The Recommendation packet and presentation described two options for the height of both buildings (85' and 95' heights). The applicant explained that the taller building includes taller floor to ceiling heights (approximately an additional 18" height per floor), in order to accommodate the possibility for biotech tenants. The applicant would like the Board to approve both heights. Once building tenants are chosen, then the building will be built to the height necessary for the tenants. Both heights are Code-compliant.

Materials include textural cast cement panels (the applicant clarified this is not cementitious siding), with a variety of textures to emphasize the variation in the solid materials at the upper levels. Other materials include higher reflection glass to reflect the trees and nearby buildings, wood and steel accents near the street level facades, colored and standard paving, and wood decking in 8<sup>th</sup> Ave N. Some of the building glazing would include a subtle frit pattern on the glass to reference the trees in the form of leaves and trees. Paving would be standard sidewalk design near the intersections, with angled scoring near the center of the site, potentially with colored paving and sandblasted surfaces near the south half of 8<sup>th</sup> Ave N.

Signage would be integrated into the building design. The applicant provided several examples of potential signage for tenants, including darker metal blade signs, canopy signage, and signage at the building entries integrated into the building articulation (see page A-81 of the Recommendation packet). Signage on the building would be located to be visible below the tree canopy.

Some of the canopies above the retail entries were shown at shallow depths, in response to the existing tree canopy. The applicant noted that where the canopies are taller, they are generally deeper to provide adequate weather protection.

Bicycle access would be located near the center of the alley on the west site, and via the automobile ramp from the alley on the east site.

The applicant noted that the project may be phased. If that happens, the west site and the west half of the 8<sup>th</sup> Ave N improvements would be completed first.

## **PUBLIC COMMENT**

No public comment was offered at the Recommendation meeting.

## **PRIORITIES & BOARD RECOMMENDATIONS**

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance.

**EARLY DESIGN GUIDANCE (OCTOBER 9, 2013):** (Early Design Guidance described below is for both 3014981 and a related MUP 3014982 that were reviewed together by the Design Review Board. The guidance that specifically applies to 3014981 are described as statements related to the east building at 300 8th Ave N.)

- 1. 8<sup>th</sup> Avenue N. The buildings should include upper level setbacks to maximize solar exposure to the 8<sup>th</sup> Ave N “living room.” The street level façade and pedestrian**

**areas should be designed to meet the intent of 8<sup>th</sup> Ave N as a residential enclave. (A-2, A-4, A-10, B-1, D-2, C-3)**

- a. The Board noted appreciation for the proposed upper level setback from Thomas St on the west site, which provides light and air to the proposed 8<sup>th</sup> Ave N “living room.”
  - b. On the east site, the upper level should be setback in response to the plaza to the east, and to increase solar exposure for the 8<sup>th</sup> Ave N living room.
  - c. The Board noted that the upper level mass is proposed to be setback from the alley on the east site, which pushes the mass towards 8<sup>th</sup> Ave N and the publicly usable space. The upper level mass should instead be pushed to the east to maximize the setback at 8<sup>th</sup> Ave N.
  - d. The Board supported the proposed design of the lower levels to extend out at the intersections and frame the 8<sup>th</sup> Ave N living room.
  - e. The north end of the buildings should be designed to flexibly function over time as live-work, retail, or residential spaces, in response to the 8<sup>th</sup> Ave N street concept in the Urban Design Framework.
  - f. The street frontage should include spaces and amenities that allow the outdoor space to function for nearby residents in non-office hours, as well as for office tenants during the day. The applicant should look to the Urban Design Framework for potential strategies to meet this guidance.
  - g. The Board noted that the street level façade should be designed to maximize porosity and transparency at the street level, in order to enhance human activity.
  - h. The applicant should consider a retail space at the south edge of the west site, as well as providing additional active uses at grade.
  - i. The applicant should demonstrate how the small commercial spaces will be designed to maximize human activity.
  - j. The proposed 8<sup>th</sup> Ave N woonerf should be maximized with creative and innovative pedestrian amenities, in order to enhance human activity.
    - i. The Board noted there is a potential for this street to be designed as a festival street or other active use for residents in the area.
  - k. The Board supported retention of the trees and using the trees to enhance the pedestrian experience on this street frontage. The applicant should demonstrate how the building massing will be designed to maximize health and retention of the trees, and demonstrate how canopies and other architectural features will be designed to accommodate the tree canopy.
2. **Harrison St. Harrison St is identified as a Heart Location in the South Lake Union neighborhood guidelines. The proposed design should respond to the intent of Heart Locations, which is to enhance human activity at the street level. (A-1, A-2, A-4, B-1, D-1, E-1, E-3)**
- a. The two story ground floor, upper level setbacks, provision of commercial spaces, and proposed curb bulbs are a positive response to this designation.
  - b. The applicant should consider designing the street level to function as live-work spaces or future residential uses, instead of the small commercial or street level office uses.
  - c. The Board supported the retail use or small commercial spaces as shown, rather than office at grade at the north end of the site. The design of the entries will be important to enhancing human activity at the street level.
  - d. The proposed design should also include seating and other street level amenities to enhance human activity on Harrison St.

- e. The Board supported retention of the existing street trees, as well as developing the street level landscape and hardscape plan to respond to the proposed development to the east.

**3. Thomas St. Thomas St should be designed to respond to the adjacent site and the intent of the Urban Design Framework. (A-1, A-2, A-4, B-1, C-2, E-3)**

- a. The proposed setback from Thomas Street on the west site in response to the historic landmark at 777 Thomas St is a positive aspect of the proposal and should be maintained as the design progresses.
- b. The south façade on the west site should include careful design of landscaping, building entries, and other strategies to activate the street frontage. This façade should be designed to respond to the context of the residential building to the south.
- c. The building massing on the east site should be designed in response to the courtyard across the alley to the east.
- d. Thomas Street is shown with the intent of a Green Street in the Urban Design Framework. The Board recommended designing this street frontage with an additional setback and/or landscaping in response to this context.

**4. Architectural Concept. The upper levels should be designed to respond to the scale of residential context. (B-1, C-1, C-2, C-3)**

- a. The smaller scale expressed in the “lego” or “boxcar” articulation shown in the packet is preferred, compared to the curtain wall expression, since this articulation offers a more residential scale. The Board stated that the façade should be designed with a residential scale, as viewed from nearby residential buildings.
- b. The Board noted that the scalar and contextual response is a critical aspect of the design.
- c. The Board noted that the two buildings can be treated with different materials, or the same palette.

**FINAL RECOMMENDATIONS (MAY 21, 2014):** (Final Recommendations described below are for both 3014982 and a related MUP 3014981 that were reviewed together by the Design Review Board. The recommendations that specifically apply to 3014982 are described as those for the west building at 333 8th Ave N.)

**1. Massing and Design Concept.** The proposed design successfully responds to the Early Design Guidance, the context, and expresses a strong cohesive design concept. The Board recommended that either the 85’ or 95’ tall building designs respond to the EDG, with some conditions described in the conditions discussed below. The Board noted that several items are critical aspects of the design concept, and the Board based the recommendation for approval on the design including these specific items: (A-2, B-1, C-1, C-2, C-3, C-4)

- a. The upper level projections,
- b. The varied texture of solid cement materials,
- c. The bright white metal to express the horizontal lines and soffits on the east building,
- d. The darker contrasting brick color at the building base,
- e. The use of the wood accents at the building base and as pavers,
- f. The fritted glass tree pattern,
- g. The signage integration with the building articulation and overall design,
- h. The proposed roof design pattern and construction of the rooftop mechanical screening to accommodate future solar panels,
- i. The street level façade modulation, articulation, and pedestrian scale materials,
- j. The east building vertical bay proportions, the varied bay spacing, and the overall building modulation,

- k. The north and south modulation on both sites, and
- l. The lower height at the south edge of both sites, as a response to the historic landmark to the south.

**2. Pedestrian Realm.** The Board supported the modulation, articulation, and materials of the street level facades. The Board recommended several conditions to enhance the pedestrian realm:

- a. The Board was concerned that the 14' to 15' tall canopies and the shallow canopies may not relate to the pedestrian scale and provide sufficient weather protection, especially near the intersections. The Board therefore recommended conditions:
  - i. Lower the canopies at the small commercial spaces on the west building to the mullion below the canopy location shown in the Recommendation packets. The resulting lower canopy height should be maintained with either the 85' or 95' tall building options. (A-2, A-4, B-1, C-3, D-1)
  - ii. Increase the canopy depth or lower the canopy to provide additional weather protection near the southwest corner of the east building. The Board noted that the resulting canopy location/depth should maintain the street tree canopy. If the canopy is lowered, the lower canopy height should be maintained with either the 85' or 95' tall building options. (A-1, A-2, A-4, D-1, E-3)
- b. The Board supported the proposed depth and height of the southeast retail space canopy on the west building. (A-2, A-3, C-2, D-1)
- c. The concrete seating will be used more frequently if it's comfortable in cold weather. Therefore the Board recommended a condition that the seating surfaces be composed of warm materials such as wood instead of concrete, to encourage use of the street level spaces. (A-2, A-4, D-1)
- d. The Board noted that Harrison St has the potential for future commercial use. The Board therefore recommended a condition that the planters at the north facade shall include breaks or be composed of separately moveable metal planters to allow for flexibility for future retail uses and entries. (A-2)
- e. The Board supported the intent for accent paving at the south half of 8<sup>th</sup> Ave N, with different paving near the intersections. The Board recommended a condition that the applicant provide a paving plan of 8<sup>th</sup> Ave N to the SDCI Planner, demonstrating the proposed paving colors and textures. The paving color should enhance the overall design concept and pedestrian safety. (A-2, A-4, D-1)
- f. The Board noted several items that are critical to the recommendation for approval for the street level facades and should be maintained:
  - i. The proposed lighting plan strategy for a variety of light levels and lighting to enhance the building facades, and
  - ii. The wider landscaping and paving at the south edge of the east building in response to the adjacent building across the alley.
  - iii. The Board also supported carrying the paving pattern across the alley as proposed.
- g. The Board noted that the use of wood at the street level facades and on the walking surfaces provides some warmth to an otherwise gray and cool palette. The Board recognized that the warm color will fade to silver over time, unless maintained regularly. The Board recommended to modify the vertical wood accents on the building facades to ensure a warm color to contrast with the gray. The Board supported the applicant's suggestion to include a warmer color behind the vertical wood panels, which will be visible between the panels. (C-2, C-4)



3. **8<sup>th</sup> Ave N design.** The Board strongly supported the proposed Woonerf design for 8<sup>th</sup> Ave N. The Board accepted that the Green Street design for 8<sup>th</sup> Ave N is a sufficient response to the Early Design Guidance, but the Woonerf design is a better response to the Design Review Guidelines. (A-2, A-4, A-10, D-1, C-3, E-3)
- a. The Board recommended a condition to add visual cues to indicate entries to the woonerf street design, such as specimen trees, light fixtures, clear difference in the hardscape, etc. The Board noted that the move doesn't have to occur directly at the intersections, given maximum height of items at the intersections. (A-2, A-10, D-1, E-3)
  - b. The Board noted several items that are critical to the recommendation for approval for the 8<sup>th</sup> Ave N streetscape design and should be retained, with either the Woonerf option (Board strongly supported) or the Green Street option (acceptable alternative if the Woonerf option cannot be approved by SDOT):
    - i. The proposed lighting plan strategy for a variety of light levels (landscaping, pedestrian scale fixtures, and taller fixtures as needed),
    - ii. The use of wood decking to identify pedestrian gathering areas,
    - iii. The use of paving textures to emphasize the pedestrian gathering areas, and
    - iv. The inclusion of bike racks, raised planters, and interesting seating forms.

## DESIGN REVIEW GUIDELINES

The Board identified the following Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

- A-1 **Responding to Site Characteristics.** The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

### SLU-specific supplemental guidance:

- Encourage provision of “outlooks and overlooks” for the public to view the lake and cityscapes. Examples include provision of public plazas and/or other public open spaces and changing the form or facade setbacks of the building to enhance opportunities for views.
- Minimize shadow impacts to Cascade Park.
- New development is encouraged to take advantage of site configuration to accomplish sustainability goals. The Board is generally willing to recommend departures from development standards if they are needed to achieve sustainable design. Refer to the Leadership in Energy and Environmental Design\*(LEED) manual which provides additional information. Examples include:
  - Solar orientation
  - Storm water run-off, detention and filtration systems
  - Sustainable landscaping
  - Versatile building design for entire building life cycle

- A-2 Streetscape Compatibility.** The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

**SLU-specific supplemental guidance:**

The vision for street level uses in South Lake Union is a completed network of sidewalks that successfully accommodate pedestrians. Streetscape compatibility is a high priority of the neighborhood with redevelopment. Sidewalk-related spaces should appear safe, welcoming and open to the general public.

- Provide pedestrian-friendly streetscape amenities, such as: tree grates; benches; lighting.
- Encourage provision of spaces for street level uses that vary in size, width, and depth. Encourage the use of awnings and weather protection along street fronts to enhance the pedestrian environment.
- Where appropriate, consider a reduction in the required amount of commercial and retail space at the ground level, such as in transition zones between commercial and residential areas. Place retail in areas that are conducive to the use and will be successful.
- Where appropriate, configure retail space so that it can spill-out onto the sidewalk (retaining six feet for pedestrian movement, where the sidewalk is sufficiently wide).

- A-4 Human Activity.** New development should be sited and designed to encourage human activity on the street.

**SLU-specific supplemental guidance:**

- Create graceful transitions at the streetscape level between the public and private uses.
- Keep neighborhood connections open, and discourage closed campuses.
- Design facades to encourage activity to spill out from business onto the sidewalk, and vice-versa.
- Reinforce pedestrian connections both within the neighborhood and to other adjacent neighborhoods. Transportation infrastructure should be designed with adjacent sidewalks, as development occurs to enhance pedestrian connectivity.
- Reinforce retail concentrations with compatible spaces that encourage pedestrian activity.
- Create businesses and community activity clusters through co-location of retail and pedestrian uses as well as other high pedestrian traffic opportunities.
- Design for a network of safe and well-lit connections to encourage human activity and link existing high activity areas.

- A-10 Corner Lots.** Building on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

- B-1 Height, Bulk, and Scale Compatibility.** Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.

**SLU-specific supplemental guidance:**

- Address both the pedestrian and auto experience through building placement, scale and details with specific attention to regional transportation corridors such as Mercer, Aurora, Fairview and Westlake. These locations, pending changes in traffic patterns, may evolve with transportation improvements.
- Encourage stepping back an elevation at upper levels for development taller than 55 feet to take advantage of views and increase sunlight at street level. Where stepping back upper floors is not practical or appropriate other design considerations may be considered, such as modulations or separations between structures.
- Relate proportions of buildings to the width and scale of the street.
- Articulate the building facades vertically or horizontally in intervals that relate to the existing structures or existing pattern of development in the vicinity.
- Consider using architectural features to reduce building scale such as: landscaping; trellis; complementary materials; detailing; accent trim.

- C-1 Architectural Context.** New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

**SLU-specific supplemental guidance:**

- Support the existing fine-grained character of the neighborhood with a mix of building styles.
- Re-use and preserve important buildings and landmarks when possible.
- Expose historic signs and vintage advertising on buildings where possible.
- Respond to the history and character in the adjacent vicinity in terms of patterns, style, and scale. Encourage historic character to be revealed and reclaimed, for example through use of community artifacts, and historic materials, forms and textures.
- Respond to the working class, maritime, commercial and industrial character of the Waterfront and Westlake areas. Examples of elements to consider include: window detail patterns; open bay doors; sloped roofs.
- Respond to the unique, grass roots, sustainable character of the Cascade neighborhood. Examples of elements to consider include: community artwork; edible gardens; water filtration systems that serve as pedestrian amenities; gutters that support greenery.

- C-2 Architectural Concept and Consistency.** Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.

**SLU-specific supplemental guidance:**

Design the “fifth elevation” — the roofscape — in addition to the streetscape. As this area topographically is a valley, the roofs may be viewed from locations outside the neighborhood such as the freeway and Space Needle. Therefore, views from outside the area as well as from within the neighborhood should be considered, and roof-top elements should be organized to minimize view impacts from the freeway and elevated areas.

**C-3 Human Scale.** The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.

**D-1 Pedestrian Open Spaces and Entrances.** Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

SLU-specific supplemental guidance:

- New developments are encouraged to work with the Design Review Board and interested citizens to provide features that enhance the public realm, i.e. the transition zone between private property and the public right of way. The Board is generally willing to consider a departure in open space requirements if the project proponent provides an acceptable plan for features such as: curb bulbs adjacent to active retail spaces where they are not interfering with primary corridors that are designated for high levels of traffic flow; pedestrian-oriented street lighting; street furniture.

**D-2 Blank Walls.** Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable they should receive design treatment to increase pedestrian comfort and interest.

**E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites.** Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

SLU-specific supplemental guidance:

- Support the creation of a hierarchy of passive and active open space within South Lake Union. This may include pooling open space requirements on-site to create larger spaces.
- Encourage landscaping that meets LEED criteria. This is a priority in the Cascade neighborhood.
- Where appropriate, install indigenous trees and plants to improve aesthetics, capture water and create habitat.
- Retain existing, non-intrusive mature trees or replace with large caliper trees.
- Water features are encouraged including natural marsh-like installations.
- Reference the City of Seattle Right Tree Book and the City Light Streetscape Light Standards Manual for appropriate landscaping and lighting options for the area.

**E-3 Landscape Design to Address Special Site Conditions.** The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

SLU-specific supplemental guidance:

Landscaping should be designed to take advantage of views to waterfront and downtown Seattle.

## DEVELOPMENT STANDARD DEPARTURES

(Departures described below are for both 3014982 and a related MUP 3014981 that were reviewed together by the Design Review Board. The departures that specifically apply to 3014982 are described as those for the west building at 333 8th Ave N.)

- 1. General Façade Requirements, Setbacks (SMC 23.48.014.D):** The Code allows up to 30% of the façade to be set back more than 12' from the street lot line, and requires the setback to be landscaped. The applicant proposes to set more than 30% of the facade back more than 12' from the street lot line, for both buildings on 8th Ave N. This would allow for the angled facades and would provide a wider pedestrian realm near the center of the block.

The east building (300 8th Ave N) would have a maximum 22'4" setback, and would be set back more than 12' for 40.8% of the 8th Ave N façade.

The west building (333 8th Ave N) would have a maximum 19'8" setback, and would be set back more than 12' for 56.8% of the 8th Ave N façade.

This departure would apply to both the Woonerf and Green Street options, and to both the 85' and 95' tall options.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-2, A-4, C-1, and D-1, by setting the building back to provide more light and air to the 8<sup>th</sup> Ave N streetscape and respond to the 8<sup>th</sup> Ave Streetscape Plan, consistent with the direction at Early Design Guidance.

The Board unanimously recommended that SDCI grant the departure.

- 2. General Façade Requirements, Setbacks (SMC 23.48.024):** The Code requires setback areas to be planted with trees, shrubs, and grass or evergreen groundcover. The applicant proposes a combination of paving and landscaping in the setback areas on the both sides of 8th Ave N (300 and 333 8th Ave N). This departure would apply to both the Woonerf and Green Street options, and to both the 85' and 95' tall options.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-2, A-4, C-1, and D-1, by paving the setback to provide pedestrian gathering areas with solar exposure, consistent with the design intent for the 8<sup>th</sup> Avenue Streetscape Plan.

The Board unanimously recommended that SDCI grant the departure.

- 3. General Façade Requirements, Setbacks (SMC 23.48.024):** The Code requires minimum façade heights of 25' on Class 2 Pedestrian Streets. Thomas Street and Harrison Streets are Class 2 Pedestrian Streets.

The applicant proposes a 21'9" high minimum façade height on Thomas St and a 17'6" minimum façade height on Harrison St for the west building (333 8th Ave N).

An 18'3" minimum façade height is proposed on Thomas St for the east building (300 8th Ave N).

This departure would apply to both the Woonerf and Green Street options, and to both the 85' and 95' tall options.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-2, A-5, C-1, and C-3, by lowering the building on Thomas St and Harrison St, in response to the nearby architectural context, the historic landmark and residential structures to the south, and to maximize light and air at the Class 2 Pedestrian streets.

The Board unanimously recommended that SDCI grant the departure.

## **BOARD RECOMMENDATION**

(Board Recommendation and conditions described below are for both 3014982 and a related MUP 3014981 that were reviewed together by the Design Review Board. The recommended conditions that specifically apply to 3014982 are described as those for the west building at 333 8<sup>th</sup> Ave N.)

**The recommendation summarized below was based on the design review packet dated May 21, 2014, and the materials shown and verbally described by the applicant at the May 21, 2014, Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and reviewing the materials, the four Design Review Board members recommended APPROVAL of the subject design and departures, with the following conditions:**

- 1. Lower the canopies at the small commercial spaces on the west building to the mullion below the canopy location shown in the Recommendation packets. The resulting lower canopy height should be maintained with either the 85' or 95' tall building options. (A-2, A-4, B-1, C-3, D-1)**
- 2. Increase the canopy depth or lower the canopy to provide additional weather protection near the southwest corner of the east building. The Board noted that the resulting canopy location/depth should maintain the street tree canopy. If the canopy is lowered, the lower canopy height should be maintained with either the 85' or 95' tall building options. (A-1, A-2, A-4, D-1, E-3)**
- 3. The seating surfaces in the pedestrian realm shall be composed of warm materials such as wood instead of concrete, to encourage use of the street level spaces. (A-2, A-4, D-1)**
- 4. The planters at the north facade shall be modified to include breaks or be composed of separately moveable metal planters to allow for flexibility for future retail uses and entries. (A-2)**
- 5. Provide a paving plan of 8<sup>th</sup> Ave N to the SDCI Planner, demonstrating the proposed paving colors and textures. The paving color should enhance the overall design concept and pedestrian safety. (A-2, A-4, D-1)**
- 6. Modify the vertical wood accents on the building facades to ensure a warm color to contrast with the gray. (C-2, C-4)**

7. **Add visual cues to indicate entries to the woonerf street design, such as specimen trees, light fixtures, clear difference in the hardscape, etc. (A-2, A-10, D-1, E-3)**

## **ANALYSIS & DECISION – DESIGN REVIEW**

### Director's Analysis

The design review process prescribed in Section 23.41.014.F of the Seattle Municipal Code describing the content of the SDCI Director's decision reads in part as follows:

The Director's decision shall consider the recommendation of the Design Review Board, provided that, if four (4) members of the Design Review Board are in agreement in their recommendation to the Director, the Director shall issue a decision which incorporates the full substance of the recommendation of the Design Review Board, unless the Director concludes the Design Review Board:

- a. Reflects inconsistent application of the design review guidelines; or
- b. Exceeds the authority of the Design Review Board; or
- c. Conflicts with SEPA conditions or other regulatory requirements applicable to the site; or
- d. Conflicts with the requirements of state or federal law.

Subject to the recommended conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines.

At the conclusion of the Recommendation meeting held on DATE, the Board recommended approval of the project with the conditions described in the summary of the Recommendation meeting above.

Four members of the West Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014.F3).

The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board.

Following the Recommendation meeting, SDCI staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board.

Applicant response to Recommended Design Review Conditions:

1. The applicant lowered the canopy at the small commercial space to align with mullions per the Recommendation condition. The proposal satisfies recommended condition #1.
2. Condition #2 does not apply to MUP 3014982.
3. Condition #3 does not apply to MUP 3014982.

4. The MUP plan sets include a detail showing that the construction of the planters on Harrison Street can be easily modified to remove planter sections for future retail doors. The proposal satisfies recommended condition #4.
5. The applicant has provided a paving plan and indicated the intent for the paving colors in the 8<sup>th</sup> Ave N right of way, as shown in the MUP plan sets. The proposal satisfies recommended condition #5.
6. The wood accents on the building facades have been modified to include a warm color on the façade behind the wood, and wider spaced wood slats to increase visibility of the color behind the wood accents, as shown in the MUP plan sets. The proposal satisfies recommended condition #6.
7. The landscape plan has been modified to provide a different landscape palette near the south street frontage and the entrance to the woonerf, using color and specimen trees as a means of differentiating the landscaping at the woonerf entrance. This information is shown in the MUP plan sets. The proposal satisfies recommended condition #7.

The applicant shall be responsible for ensuring that all construction documents, details, and specifications are shown and constructed consistent with the approved MUP drawings.

The Director of SDCI has reviewed the decision and recommendations of the Design Review Board made by the four members present at the decision meeting and finds that they are consistent with the City of Seattle Design Review Guidelines. The Director is satisfied that all of the recommendations imposed by the Design Review Board have been met.

## **DIRECTOR'S DECISION**

The Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departure with the conditions summarized at the end of this Decision.

## **II. ANALYSIS – SEPA**

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code (SMC) Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated 12/19/2013. The Seattle Department of Construction and Inspections (SDCI) has annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the project file submitted by the applicant or agents; and any pertinent comments which may have been received regarding this proposed action have been considered. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced may serve as the basis for



exercising substantive SEPA authority. The Overview Policy states in part: "*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations.

Under such limitations/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

### Short Term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction related vehicles, and increases in greenhouse gas emissions. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Stormwater Code (SMC 22.800-808), the Grading Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and the Noise Control Ordinance (SMC 25.08). Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The following analyzes air quality, construction-related noise, greenhouse gas, construction traffic and parking impacts, as well as mitigation.

### Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant. Therefore, no further mitigation is warranted pursuant to SMC 25.05.675.A.

### Construction Impacts - Parking and Traffic

Increased trip generation is expected during the proposed demolition, grading, and construction activity. The area is subject to significant traffic congestion during peak travel times on nearby arterials. Large trucks turning onto arterial streets would be expected to further exacerbate the flow of traffic.

The area includes limited and timed or metered on-street parking. Additional parking demand from construction vehicles would be expected to further exacerbate the supply of on-street parking. It is the City's policy to minimize temporary adverse impacts associated with construction activities.

Pursuant to SMC 25.05.675.B (Construction Impacts Policy), additional mitigation is warranted and a Construction Management Plan is required, which will be reviewed by Seattle Department of Transportation (SDOT). The requirements for a Construction Management Plan include a Haul Route and a Construction Parking Plan. The submittal information and review process for Construction Management Plans are described on the SDOT website at:

<http://www.seattle.gov/transportation/cmp.htm>.

### Construction Impacts - Noise

The project is expected to generate loud noise during demolition, grading and construction. The Seattle Noise Ordinance (SMC 25.08.425) permits increases in permissible sound levels associated with private development construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends and legal holidays in SM zones.

If extended construction hours are desired, the applicant may seek approval from SDCI through a Noise Variance request. The applicant's environmental checklist does not indicate that extended hours are anticipated.

A Construction Management Plan will be required prior to issuance of the first building permit, including contact information in the event of complaints about construction noise, and measures to reduce or prevent noise impacts. The submittal information and review process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>. The limitations stipulated in the Noise Ordinance and the CMP are sufficient to mitigate noise impacts; therefore no additional SEPA conditioning is necessary to mitigation noise impacts per SMC 25.05.675.B.

### Long Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: greenhouse gas emissions; parking; potential blockage of designated sites from the Scenic Routes nearby; possible increased traffic in the area. Compliance with applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, greenhouse gas, height bulk and scale, historic resources, parking, public views, and traffic warrant further analysis.

### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project construction and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant, therefore, no further mitigation is warranted pursuant to SMC 25.05.675.A.

### Height, Bulk, and Scale

The proposal has gone through the design review process described in SMC 23.41. Design review considers mitigation for height, bulk and scale through modulation, articulation, landscaping, and façade treatment.

Section 25.05.675.G.2.c of the Seattle SEPA Ordinance provides the following: "The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk, and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental

review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project.”

The height, bulk and scale of the proposed development and relationship to nearby context have been addressed during the Design Review process for any new project proposed on the site. Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to height bulk and scale are presumed to be sufficient, and additional mitigation is not warranted under SMC 25.05.675.G.

### Historic Preservation

One of the existing structures on site is more than 50 years old. These structures were reviewed for potential to meet historic landmark status. The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and indicated the 113 year old structure on site is unlikely to qualify for historic landmark status (Landmarks Preservation Board letter, reference number LPB 280/14).

In addition, this project is adjacent to the 777 Thomas Street building, a Seattle landmark, south of the project site. The Department of Neighborhoods reviewed the proposal for compliance with the Landmarks Preservation requirements of SMC 25.12 and did not recommend changes to the proposed design (Landmarks Preservation Board letter, reference number LPB 68/14).

Per the Overview policies in SMC 25.05.665.D, the existing City Codes and regulations to mitigate impacts to historic resources are presumed to be sufficient, and no further conditioning is warranted per SMC 25.05.675.H.

### Parking

The proposed development includes 194,400 sq.ft. of commercial building with 462 off-street vehicular parking spaces. The traffic and parking analysis (Transportation Impact Analysis, 333 8<sup>th</sup> Avenue North, by Transpo Group, dated December 2013 and a subsequent Memorandum modifying the parking analysis by Transpo Group, dated June 13, 2014) indicates a peak demand for approximately 277 vehicles from the proposed development. Peak commercial parking demand typically occurs during the day.

The traffic and parking analysis noted that the peak parking demand for this development is 277 vehicles. The number of proposed parking spaces accommodates all of the anticipated parking demand, and no additional mitigation is warranted per SMC 25.05.675.M.

### Transportation

The transportation study (Transportation Impact Analysis, 333 8th Avenue North, by Transpo Group, dated December 2013 and a subsequent Memorandum modifying the parking analysis by Transpo Group, dated June 13, 2014) indicated that the project is expected to generate a net total increase of 1,040 daily vehicle trips, with 145 net new PM Peak Hour trips and 174 AM Peak hour trips, compared with the existing uses on site.

The additional trips would have minimal impact on levels of service at nearby intersections, and would have an impact on the levels of service at the alley intersections at either end of the block where the proposal is located. The Transportation Impact Analysis recommended a Transportation Management Plan with a Single Occupancy Vehicle (SOV) rate of 40%, consistent with Director's Rule 27-2015. This impact warranted a Transportation Management Plan (TMP), consistent with SMC 25.05.675.R. As described in the Transportation Impact Analysis mitigation, the TMP will require a Single Occupancy Vehicle (SOV) goal of 40%.

Concurrency analysis was conducted for nearby identified areas. That analysis showed that the project is expected to be well within the adopted standards for the identified areas.

The project will be required to mitigate traffic impacts by participating in the City of Seattle transportation mitigation program for South Lake Union as outlined in SDCI TIP 243. Pursuant to that mitigation payment system, the project proposes to pay a pro rata contribution of \$197,696 in order to help reduce the project's transportation impacts. This fee shall be paid prior to building permit issuance, consistent with SDCI business rules, and conditioned with this decision.

The condition to pay a pro rata contribution of \$197,696 and the condition for a Transportation Management Plan are expected to adequately mitigate the adverse impacts from the proposed development, consistent with per SMC 25.05.675.R.

### **DECISION – SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- ☒ Mitigated Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This MDNS is issued after using the optional DNS process in WAC 197-11-355 and Early review DNS process in SMC 25.05.355. There is no further comment period on the MDNS.

### **SEPA - CONDITIONS OF APPROVAL**

#### **Prior to Issuance of a Demolition, Grading, or Building Permit**

1. Provide a Construction Management Plan that has been approved by SDOT. The submittal information and review process for Construction Management Plans are described on the SDOT website at: <http://www.seattle.gov/transportation/cmp.htm>.

Prior to Issuance of a Building Permit

2. The applicant shall make a pro rata mitigation payment in the amount of \$197,696 to the City of Seattle.
3. Per [Director's Rule 27-2015](#), the applicant shall provide a Transportation Management Plan (TMP) Acknowledgement Letter for a TMP with a Single Occupancy Vehicle rate of 40%.

**CONDITIONS – DESIGN REVIEW**

*For the Life of the Project*

4. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by the Land Use Planner (Crystal Torres 206-684-5887 or [crystal.torres@seattle.gov](mailto:crystal.torres@seattle.gov)).

Crystal Torres, Land Use Planner  
Seattle Department of Construction and Inspections

Date: October 17, 2016

CT:rgc  
3014982.docx

**IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT**

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by Seattle DCI within that three years or it will expire and be cancelled (SMC 23-76-028). (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at [prc@seattle.gov](mailto:prc@seattle.gov) or to our message line at 206-684-8467.